

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ROCHE FREEDMAN LLP,

Plaintiff,

v.

JASON CYRULNIK,

Defendant.

Case No. 1:21-cv-01746 (JGK)(SN)

JASON CYRULNIK,

Counterclaim-Plaintiff,

v.

ROCHE FREEDMAN LLP, KYLE ROCHE,  
DEVIN FREEDMAN, AMOS FRIEDLAND,  
NATHAN HOLCOMB, and EDWARD  
NORMAND,

Counterclaim-Defendants.

JASON CYRULNIK,

Third-Party Plaintiff,

v.

KYLE ROCHE, DEVIN FREEDMAN,  
AMOS FRIEDLAND, NATHAN HOLCOMB,  
and EDWARD NORMAND,

Third-Party Defendants.

**DECLARATION OF TIMOTHY S. MARTIN IN SUPPORT OF NOTICE OF  
WITHDRAWAL OF APPEARANCE**

I, Timothy S. Martin, declare and state as follows:

1. On June 3, 2022, I filed a Notice of Appearance on behalf of Plaintiff Roche  
Freedman LLP and Counterclaim-Defendants and Third-Party Defendants Devin

Freedman, Amos Friedland, Nathan Holcomb, Edward Normand, and Kyle Roche (ECF. No. 127).

2. Pursuant to Local Civil Rule 1.4, I respectfully request that the Court withdraw my individual appearance as counsel for Counterclaim-Defendant and Third-Party Defendant Kyle Roche.
3. Counterclaim-Defendant and Third-Party Defendant Kyle Roche will continue to be represented by Matthew P. Leto.
4. Plaintiff Roche Freedman LLP and the remaining Counterclaim-Defendants and Third-Party Defendants will continue to be represented by me.
5. The reason for this withdrawal is because Kaplan Hecker & Fink and Counterclaim-Defendant and Third-Party Defendant Kyle Roche have mutually agreed that Mr. Roche will be represented solely by Matthew P. Leto.
6. This withdrawal will not affect this action in any way, including the posture of the case and the calendar; nor will it prejudice Defendant and Counterclaim Plaintiff and Third-Party Plaintiff. I am not asserting a retaining or charging lien.

Dated: September 13, 2022  
New York, New York

Respectfully submitted,

/s/ Timothy S. Martin

Timothy S. Martin

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*Counsel for Plaintiff and  
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Party Defendants*